

City of Kerrville Planning & Zoning Commission Agenda

Wednesday, April 5, 2006, 4:30 p.m.*

City Hall City Council Chambers, 800 Junction Highway, Kerrville, TX

The meeting place has wheelchair accessibility and available accessible parking spaces. Please call the City of Kerrville Planning Division at (830) 792-8354 forty-eight hours (48) before the meeting to request accommodations.

1. ***4:15 p.m. Pre-Meeting Session, City Council Chambers**

Review of today's agenda items between Staff and the Commission. No action will be taken and there is to be no discussion between the Commission and the applicant(s) or other audience.

2. **4:30 p.m. Call to Order**

Chairperson calls the meeting to order; roll call

Page

3. **Visitor/Citizens' Forum**

Any person with business not scheduled on the agenda is encouraged to briefly speak their ideas to the Commission. Please fill out the SPEAKER REQUEST FORM and give it to the Commission's Secretary prior to the meeting. (No formal action can be taken on these items as the Open Meetings Act requires formal action items be posted on an agenda no later than 72 hours before the meeting. If formal action is required, the items will be placed on an agenda for a future meeting.)

4. **Consent Agenda**

All items listed below in the consent agenda are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately.

4A. **Approve the minutes from the meeting of March 16, 2006.**

2

5. **Public Hearings/Action Items**

5A. **Replat: Lowry Addition, Block 6, Lots 1 - 4** – Request to divide four (4) lots into five (5) lots for residential development on 0.90± acres located on the west side of Lowry Street between Starkey Street and Hamilton Street. Zoned: R-1A. Applicant: Texas Land Boundaries c/o Dan Kuykendall. (File #2006-02).

4

5B. **Conditional Use Permit (CUP) Request** – Consideration of a recommendation to the City Council of a request for a CUP to allow a Vehicle Repair and Maintenance land use on lots 3-5, Block 1, of the G Street South Subdivision; location also known as 203 G Street South. Zoned: S-33. Applicant: Donald Young c/o Nick Muskie. (File #2006-05).

6

6. **Staff Reports**

- 6A. Future Agenda Items. Applicant: Director of Development Services/City Planner.
- 6B. Project Status Report. Applicant: Director of Development Services/City Planner.
- 6C. Announcements.

8

7. **Adjourn** - The next scheduled meeting is Thursday, April 20, 2006.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 4A **FOR AGENDA OF:** April 5, 2006

DESCRIPTION: Approval of the minutes from the meeting of March 16, 2006.

APPLICANT(S): Planning and Zoning Commission Secretary

ATTACHMENT(S): Minutes

The Commission's Secretary recommends approval of the proposed minutes.

On March 16, 2006, the Kerrville Planning and Zoning Commission regular meeting was called to order at 4:30 p.m. in the City Hall Council Chambers, 800 Junction Highway.

MEMBERS PRESENT:

Mack Hamilton, Chairperson
Jim Kessler, Commissioner
Bruce Motheral, Commissioner
Carl Meek, Ex-Officio City Councilperson
Paul Hofmann, Ex-Officio City Manager

MEMBERS ABSENT:

George Hager, Commissioner
Andy Phillips, Commissioner

STAFF PRESENT:

Paul Menzies, Director of Development Services/City Planner
Jena Chacon, Planning and Zoning Commission Secretary

1. CALL TO ORDER:

2. VISITOR/CITIZENS FORUM:

No person spoke.

3. CONSENT AGENDA:

3A. Approval of the minutes from the meeting of March 2, 2006.

Cmr. Kessler moved for approval of the consent agenda; motion was seconded by Cmr. Motheral and passed 3-0.

4. Staff Report

4A. Future agenda items. Applicant: Director of Development Services/City Planner.
Mr. Menzies briefly discussed items for upcoming meetings.

Cmr. Motheral discussed sewer and water line services for new development.

4B. Project Status Report. Applicant: Director of Development Services/City Planner.
Mr. Menzies informed the Commission of the status of past projects considered by the commission.

4C. Announcements:

1. Mr. Menzies reminded the Commission that the scheduled April 6, 2006 meeting was moved to April 5, 2006.
2. Mr. Menzies briefed the Commission on the proposed amendment to the sign ordinance to allow traveling lighted message signs with no time restriction.

5. Adjournment The next scheduled meeting is Wednesday, April 5, 2006.
The meeting adjourned at 4:38 p.m.

ATTEST:

Mack Hamilton, Chairperson

Jena Chacon, Recording Secretary

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 5A **FOR AGENDA OF:** April 5, 2006

DESCRIPTION: **Public Hearing: Replat: Lowry Addition, Block 6, Lots 1 - 4** – Request to divide four (4) lots into five (5) lots for residential development on 0.90± acres located on the west side of Lowry Street between Starkey Street and Hamilton Street. Zoned: R-1A. (File #2006-02).

APPLICANT(S): Texas Land Boundaries c/o Dan Kuykendall.

ATTACHMENT(S): Locator Map, Plat

History

- March 8, 2006 – Subject replat application submitted to City.
- March 17, 2006 – Development Review Committee (DRC) process complete; application deemed complete.
- March 21, 2006 – In accordance with Statute and local law, notice of required public hearing published in Kerrville Daily Times and mailed to all property owners within 200 feet of subject tract.
- April 5, 2006 – Consideration of replat by Commission.

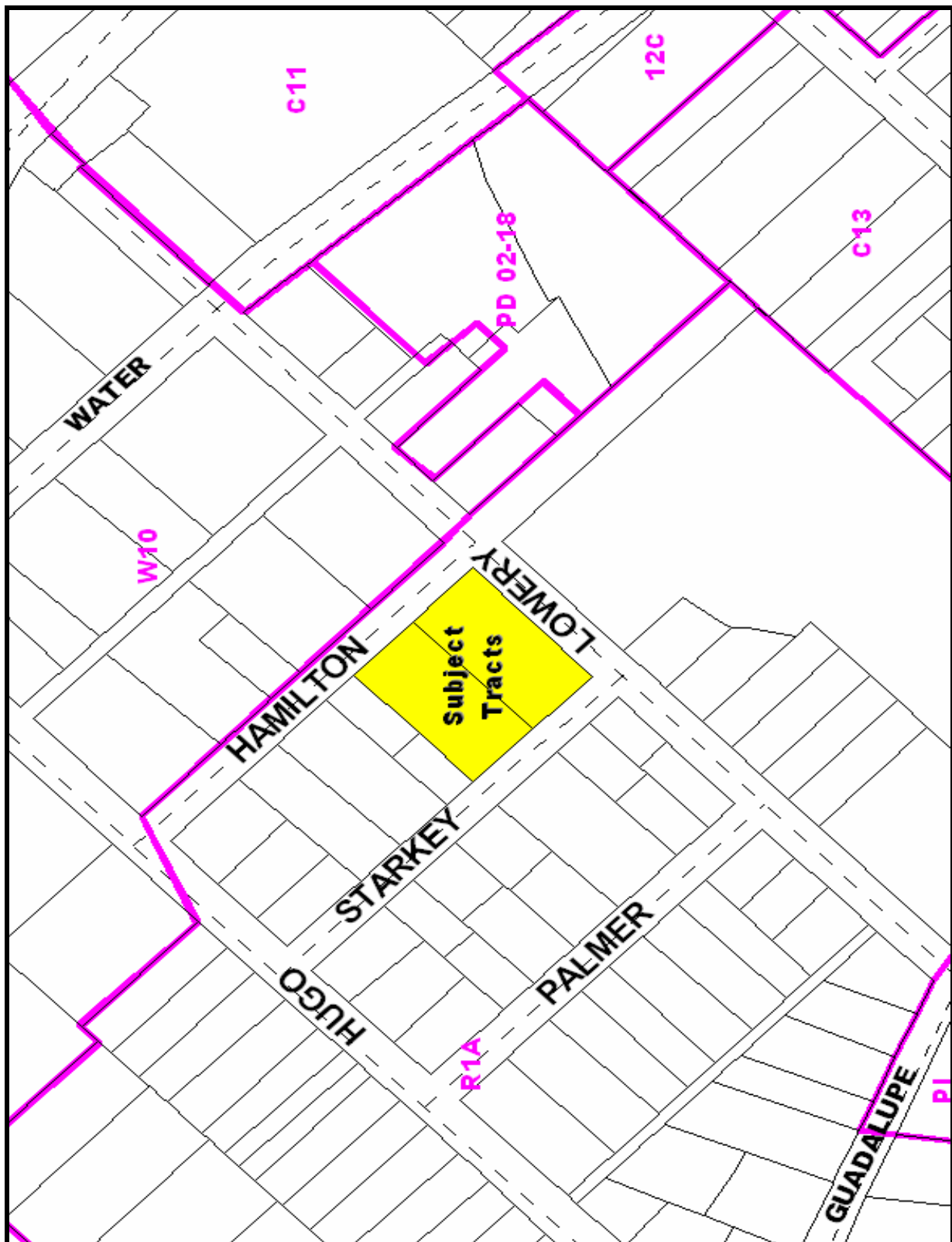
Summary

- As stated above, proper notice has been given for today's public hearing. Staff has received several calls from surrounding property owners inquiring as to the specifics of the replat, but has received no negative comments.
- The applicant plans to construct duplexes (i.e. two-family residential) on proposed lots 1-A, 1-B, 1-C, and 4-D. Staff is unaware of any development plans on lot 4-E.
- The required building setback lines (b.s.b.l.) are shown on the plat; however, staff has requested these be removed on the recordable copies as they are not required and may cause future problems if the City setback requirements change.
- No public improvements are proposed or required of this subdivision per the subdivision ordinance.
- The replat is recommended for approval as submitted.

RECOMMENDED ACTION

The City Planner and City Engineer recommend:

1. The Commission conduct the required public hearing to receive comments; and
2. Approve the replat as submitted.



LOTS 1, 2, 3 AND 4, BLOCK 6, LOWRY ADDITION, A SUBDIVISION OF KERR COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED IN VOLUME 28, PAGE 113, DEED RECORDS OF KERR COUNTY, TEXAS.

HAMILTON STREET
50 FT WD R.O.W.

LOT 4

LOT 3

LOT 2

LOT 1

LOWRY STREET
50 FT WD R.O.W.

STARKEY ST.
50 FT WD R.O.W.

RECORD BEARING BASIS HELD S 45°00'00" E BETWEEN SURVEY MONUMENTS FOUND AT THE NW CORNER OF LOT 11 AND THE SE CORNER OF LOT 5.

HAMILTON STREET
50 FT WD R.O.W.

THIS CORNER LIES APPROXIMATELY 4177 FEET, S51°51'W FROM THE WEST CORNER OF SURVEY NO. 118, J. YOUNG, ABSTRACT NO. 376

S 45°00'00" E 97.00'

S 45°00'00" E 100.00'

N 45°55'49" E 100.02'

100.00'

N 45°39'07" E 100.00'

N 45°00'00" W 99.76'

N 45°00'00" W 100.00'

N 806504.3027
E 1952647.1395

STARKEY ST.
50 FT WD R.O.W.

REPLAT CONFIGURATION

I, Gary Max Brandenburg, Registered Professional Land Surveyor No. 5164, hereby certify that this plat represents a survey made on the ground under my direct supervision and direction. That all visible improvements and utilities, discrepancies in boundaries, are shown and/or cited hereon. No survey was made to reestablish Patent Survey Lines or Corners. This tract does not lie within the 100-Year Flood Hazard Zone as interpreted from the FEMA F.I.R.M. No. 48265C0170E dated July 19, 2000. This survey is in compliance with THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING GENERAL RULES OF PRACTICE.

Surveyed on the ground on January 3 2006.

Gary Max Brandenburg, Registered Professional Land Surveyor No. 5164

NOTES AND RESTRICTIONS

A DRAINAGE STUDY CONFIRMING TO THE CITY OF KERRVILLE STANDARD SPECIFICATIONS FOR SUBDIVISION CONSTRUCTION SHALL BE SUBMITTED TO, AND APPROVED BY, THE CITY ENGINEER BEFORE A BUILDING PERMIT IS ISSUED FOR ANY LOT IN THIS SUBDIVISION. DRAINAGE IMPROVEMENTS WHICH ADEQUATELY ADDRESS THE FINDINGS OF THE STUDY SHALL BE MADE PART OF THE BUILDING PERMIT APPLICATION, AND SHALL BE CONSTRUCTED CONCURRENTLY WITH THE DEVELOPEMENT OF THE SITE. SIDEWALKS AS REQUIRED BY ZONING ORDINANCE SHALL BE CONSTRUCTED BY THE INDIVIDUAL HOME OWNER AND SHALL BE MADE PART OF THE BUILDING PERMIT, AND SHALL BE INSTALLED PRIOR TO OCCUPANCY. PARK LAND DEDICATION: CONTRIBUTION TO THE PARK LAND DEDICATION FUND SHALL BE MADE AT THE ISSUANCE OF THE BUILDING PERMIT. ALL DISTANCES ARE IN FEET.

Granted unto Kerrville Telephone Company, it's successors or assigns, an easement as follows:

Grantors hereby retain perpetual easements for the installation and maintenance of utilities and all necessary appurtenances thereto, whether installed in the air, upon the surface or underground, along and within ten (10') feet of the rear, front and side lines of all lots and/or tracts and in the streets, alleys, boulevards, lanes and roads of the subdivision, and ten (10') feet along the outer boundaries of all streets, boulevards, lanes, drives and roads, where property lines of individual lots and/or tracts are deeded to the centerline of said avenues and ten feet (10') along the entire perimeter (boundary) of said subdivision and with the authority to place, construct, operate, maintain, relocate and replace thereon a communication or electric distribution line of system. The easement rights herein reserved include the privilege of anchoring any support cables or other devices outside said easement when deemed necessary by the utility to support equipment within said easement and the right to install wires and/or cables over some portions of said lots and/or tracts not within said easement so long as such items do not prevent the construction of buildings on any of the lots and/or tracts of this subdivision. Nothing shall be placed or permitted to remain within the easement areas which may damage or interfere with installation and maintenance of utilities. The easement area of each lot and/or tract and all improvements within it shall be maintained by the owner of the lot, except for those improvements for which an authority or utility company is responsible. Utility Companies or their employees shall have all of the rights and benefits necessary and convenient for the full enjoyment of the right herein granted, including but not limited to the free right of ingress to and egress from said right of way and easement, and the right from time to time to cut and trim all trees, undergrowth and other obstructions that my injure, endanger or interfere with the operation of said utility installations. The developer and/or landowner shall be responsible for removal of any or all limbs, debris, branches, or brush that must be cut in order to clear the right of way of new construction, or maintenance of any lines constructed on the property.

Date: 2006

Kerrville Telephone Company

Grantor's hereby retain and grant perpetual easements for the installation and maintenance of utilities and all necessary appurtenances thereto, whether installed in the air, upon the surface or underground, as shown on this plat and along and within ten (10') feet of the rear, front, and side lines of all lots and/or tracts in the streets, alleys, boulevards, lanes and roads of the subdivision, and ten (10') feet along the outer boundaries of all streets, boulevards, lanes, drives and roads, where property lines of individual lots and/or tracts are deeded to the centerline of said avenues. Nothing shall be placed or permitted to remain within the easement areas which may damage or interfere with installation and maintenance of utilities. The easement area of each lot and all improvements within it shall be maintained by the owner of the lot, except for those improvements for which an authority or utility company is responsible. Utility Companies or their employees and contractors including without limitation Kerrville Public Utility Board are hereby assigned and granted all of the rights and benefits necessary and convenient for the full enjoyment of the rights herein granted, including but not limited to the free right of ingress to and egress from said right of way and easement, and the right from time to time to remove all tree, undergrowth and other obstructions that may injure, endanger or interfere with the operation of said utility installations. The easement rights herein reserved include the privilege of anchoring any support cables or other devices outside said easement when deemed necessary by the utility to support equipment within said easement and the right to install wires and/or cables over some portions of said lots and/or tracts not within said easements so long as such items do not prevent the construction of buildings on any of the lots and/or tracts of this subdivision.

I hereby certify the utility easement as specified by this plat meets with our approval.

Date: 2006

Kerrville Public Utility Board

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations for Kerrville, Texas, with the exception of such variations, if any are noted in the minutes of the city Planning commission and that it has been approved for recording in the office of the County Clerk of Kerr County, Texas.

Date Chair, City Planning Commission

I hereby certify that the subdivision platted hereon and road names and addresses meets with approval by the 911 Addressing Guidelines, City of Kerrville Resolutio No. according to their guidelines for Road Names and Addresses.

Date 911 Local Address Coordinator

I hereby certify the subdivision platted hereon is existing in an acceptable manner according to the City of Kerrville Standard Specifications or a separate financial instrument guaranteeing completion of public improvements is in place which is acceptable to the city.

Dated this the day of 2006.

City Engineer or Acting Agent

LEGEND

POB Point of Beginning

○ End 1/2" rebar rod

● Set 1/2" rebar rod

⊕ Fence Post

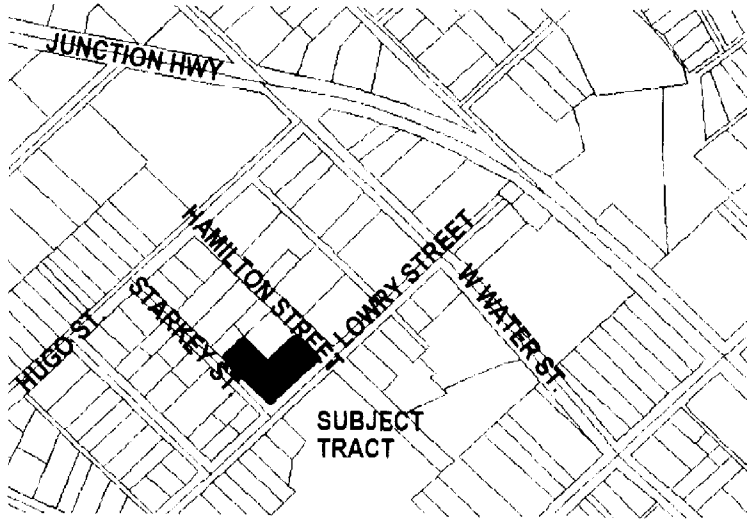
⊘ Utility Pole

--- Property line

--- Power line

VOLUME

PAGE



VICINITY MAP

STATE OF TEXAS
COUNTY OF KERR

CERTIFICATE OF OWNERSHIP AND DEDICATION

We, hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision with our free consent, establish the minimum building lines, and dedicate all public streets, alleys, walks, parks, and other open spaces to public use as noted.

2006 D. R. Kuykendall Enterprises, Inc.

S&B Partners I, Ltd.

STATE OF TEXAS
COUNTY OF KERR

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this day of 2006.

Notary Public

County, Texas

STATE OF TEXAS
COUNTY OF KERR

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this day of 2006.

Notary Public

County, Texas

Filed for record on the day of 2006 A.D. By

Order No.

Filed for record on the day of 2006 at

O'clock M. and was recorded the day of

2006, A.D. at O'clock M. in Volume at Page of the Plat Records of Kerr County, Texas

County Clerk
Kerr County, Texas

Deputy County Clerk
Kerr County, Texas

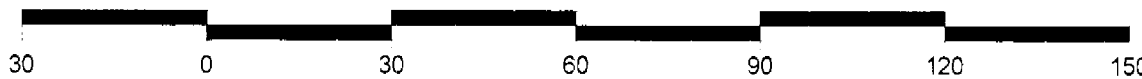
In accordance with Art. 10-IV-2 of the Code of Ordinances of the City of Kerrville, Texas, and in consideration of the approval of this Replat, the owners hereof do hereby waive any and all claims for damages against the City of Kerrville, Kerr County, Texas, occasioned by the establishment of grades or the alteration of the surface of any portion of existing streets and alleys to conform to the grades established in the above named subdivision.

(owner)

RECEIVED

MAR 08 2006

SCALE: 1" = 30 FEET



JANUARY 2006

REPLAT OF LOT 1, 2, 3 AND 4,
BLOCK 6, LOWRY ADDITION

SURVEY PLAT OF LOTS 1, 2, 3 AND 4, BLOCK 6, LOWRY ADDITION, A SUBDIVISION OF KERR COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED IN VOLUME 28, PAGE 113, DEED RECORDS OF KERR COUNTY, TEXAS.

OWNER: D. R. KUYKENDALL ENTERPRISES, INC. and S&B PARTNERS I, LTD.

SCHOOL DISTRICT: KERRVILLE I.S.D.

TEXAS LAND BOUNDARIES - 2616 Junction Hwy - KERRVILLE, TEXAS 78028 - (830) 257-3839 FAX: (830) 896-6317 - e-mail: txlndbrd@kjc.com

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 5B **FOR AGENDA OF:** April 5, 2006

DESCRIPTION: **Public Hearing: Conditional Use Permit (CUP) Request** –
Consideration of a recommendation to the City Council of a request for a CUP to allow a Vehicle Repair and Maintenance land use on lots 3-5, Block 1, of the G Street South Subdivision; location also known as 203 G Street South. Zoned: S-33. (File #2006-05).

APPLICANT(S): Applicant: Donald Young c/o Nick Muskie.

ATTACHMENT(S): Locator Map, Draft Resolution, Applicant Submittal

Project Timeline

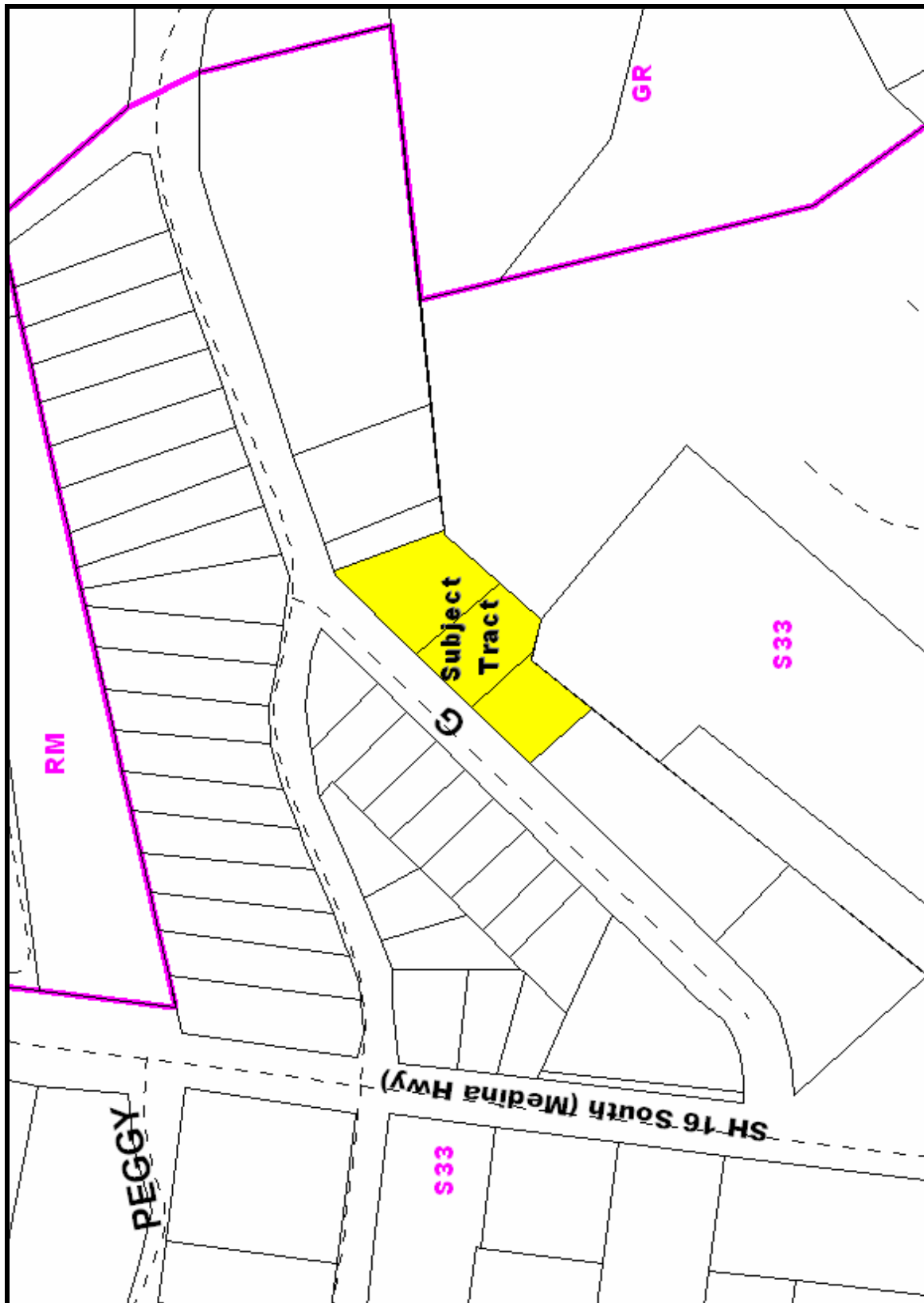
- March 6, 2006 – Application for subject CUP submitted to City.
- March 17, 2006 - Development Review Committee (DRC) process complete; application deemed complete.
- March 21, 2006 – In accordance with Statute and local law, notice of required public hearing published in Kerrville Daily Times and mailed to all property owners within 200 feet of subject tract.
- **April 5, 2006** – Public Hearing before the Planning and Zoning Commission (P&Z) and consideration of a recommendation to the City Council.
- April 11, 2006 – Public Hearing before the City Council and consideration of a resolution approving the CUP.

CUP Process/Summary

- Per the Zoning Code, the “Vehicle Maintenance and Repair” use in the S-33 zone requires the approval of a CUP by the City Council.
- The applicant proposes to use the existing buildings at 203 G Street South for an auto repair shop. Access will be from existing driveways on G Street.
- The P&Z and Council may impose requirements and conditions of approval as are needed to ensure that a use requested by a CUP is compatible and complementary to adjacent properties. However, the City Planner does not recommend any additional requirements other than those outlined in the draft Resolution.

RECOMMENDED ACTION

1. Open the public hearing and receive comments; and
2. Recommend to the City Council approval of the CUP subject to the standards outlined in the Resolution.



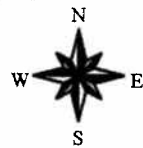
Requirements for Conditional Use Permit (CUP) Request

1. Donald Young
316 Bobwhite, Kerrville, Texas 78028
Phone: 830/895-5614
2. Property Address: 203 G street South, Abstract S4680, G street south Subdivision
Lots 3, 4, &5, KCAD #'s R30502, R30503, R30504, Block 1
3. Intended use for proposed site is general automotive repair.
4. Attached copies of Site Plan, including:
 - a. Parking Facilities;
 - b. N/A - No loading/unloading Service and/or Utilities Areas;
 - c. Existing use of all properties contiguous to subject property;
 - d. Location and dimensions of boundaries, easements & building setbacks.
 - e. Location of existing and proposed
 - 1) Buildings and other improvements
 - 2) Drainage structures and watercourse
 - 3) Exterior lighting fixtures;
 - 4) Landscaped areas.
 - f. Relationship of property and proposed use to surrounding areas.
5. No structural changes to building with the exception of any repairs that will be necessary to be in compliance with code. Current photos included.
 - a. Exterior changes proposed are to paint entire building, add parking in fenced-in area in front of building, blacktop and stripe parking area, and repair fence where damaged, and any other minor changes necessary to improve appearance of building.
6. Performance characteristics and effects of the proposed use, including:
 - a. Traffic patterns will be entrance and exit to G Street South off of G Street. Types of vehicles expected are various personal vehicles in need of general automotive repair. No semi-trucks, dump trucks, or other large commercial vehicles of any kind. No known effects expected to surrounding properties within 500 feet of property.
 - b. Number of employees is 3. Peak hours will be 8:00 a.m. to 9:00 a.m. for drop off of vehicles and 4:00 p.m. to 5:00 p.m. for pick-up of vehicles, Monday through Friday.
 - c. Proposed hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.
7. No known State or Federal Licenses required for general automotive repair.
8. Existing similar uses within 1,000 feet of subject property are as follows:
 - a. Kerrville Automatic Repair
151 G Street South
Kerrville, Texas 78028
9. Property does not have a slope greater than 15%.
10. Non-Applicable.



" G " Street

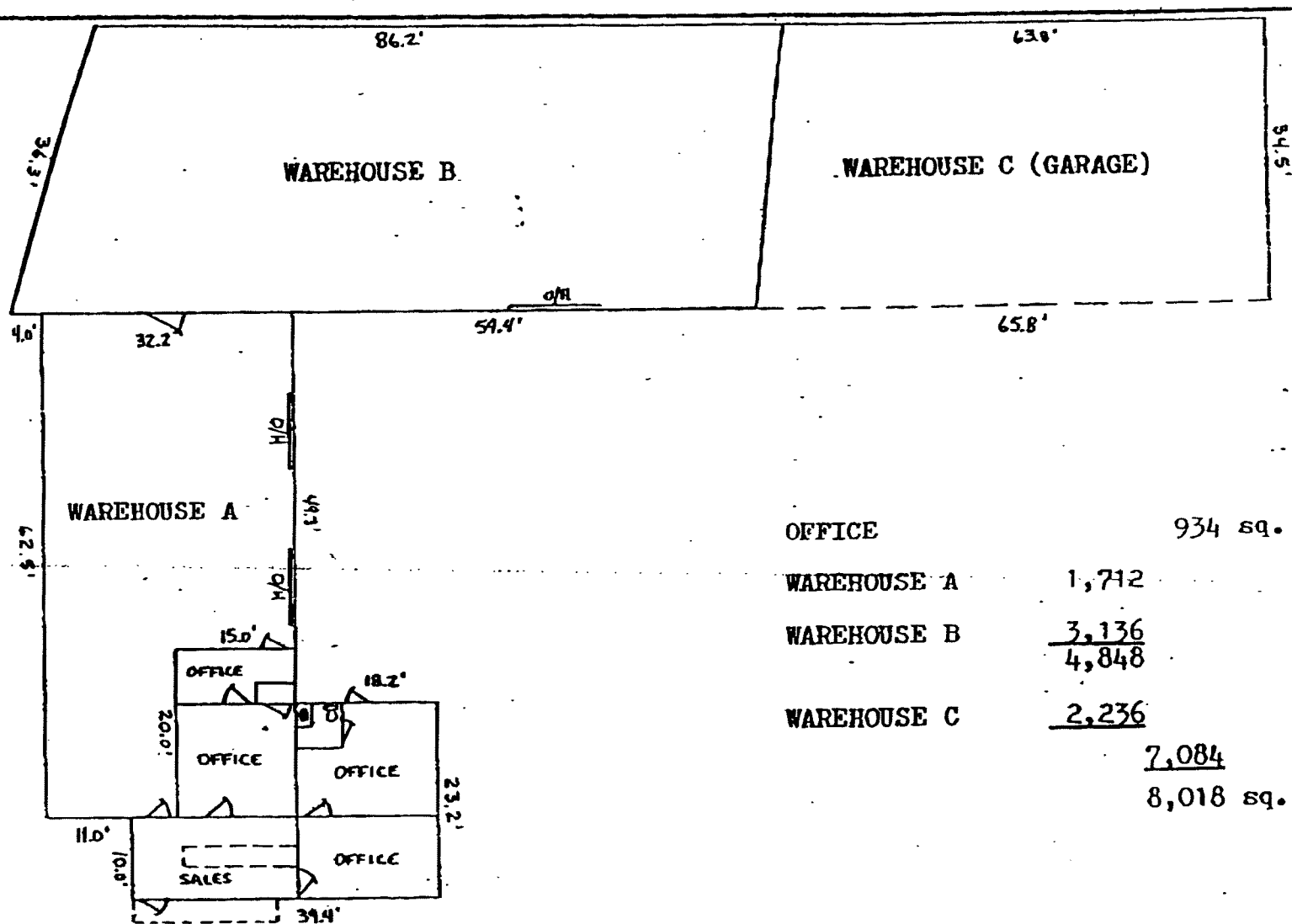
Prepared by:
Kerr Central Appraisal District
PO Box 294387
Kerrville, TX 78029
(830) 896-6223



300 0 300 Feet

WARNING: This map is for illustrative purposes only and may not be an accurate depiction of the actual surveyed property. This map may NOT be reproduced without the written consent of the Kerr Central Appraisal District.

Floor Plan



| | |
|-------------|---------------|
| OFFICE | 934 sq. sf. |
| WAREHOUSE A | 1,712 |
| WAREHOUSE B | <u>3,136</u> |
| | 4,848 |
| WAREHOUSE C | <u>2,236</u> |
| | <u>7,084</u> |
| | 8,018 sq. ft. |

203 1/2" Street South
FLOORPLAN

SCALE: 1 in = 20 feet
Kerr County, Texas

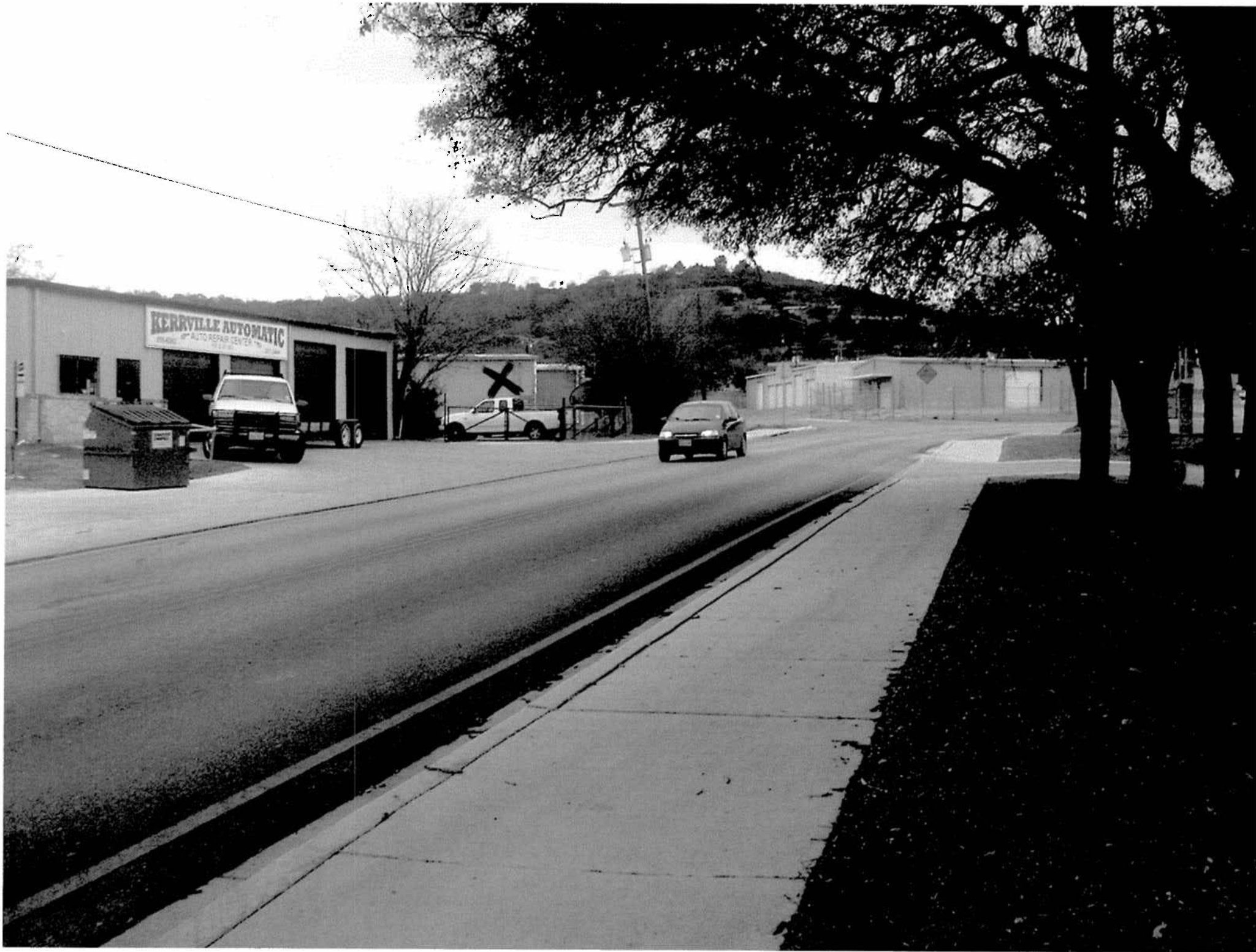


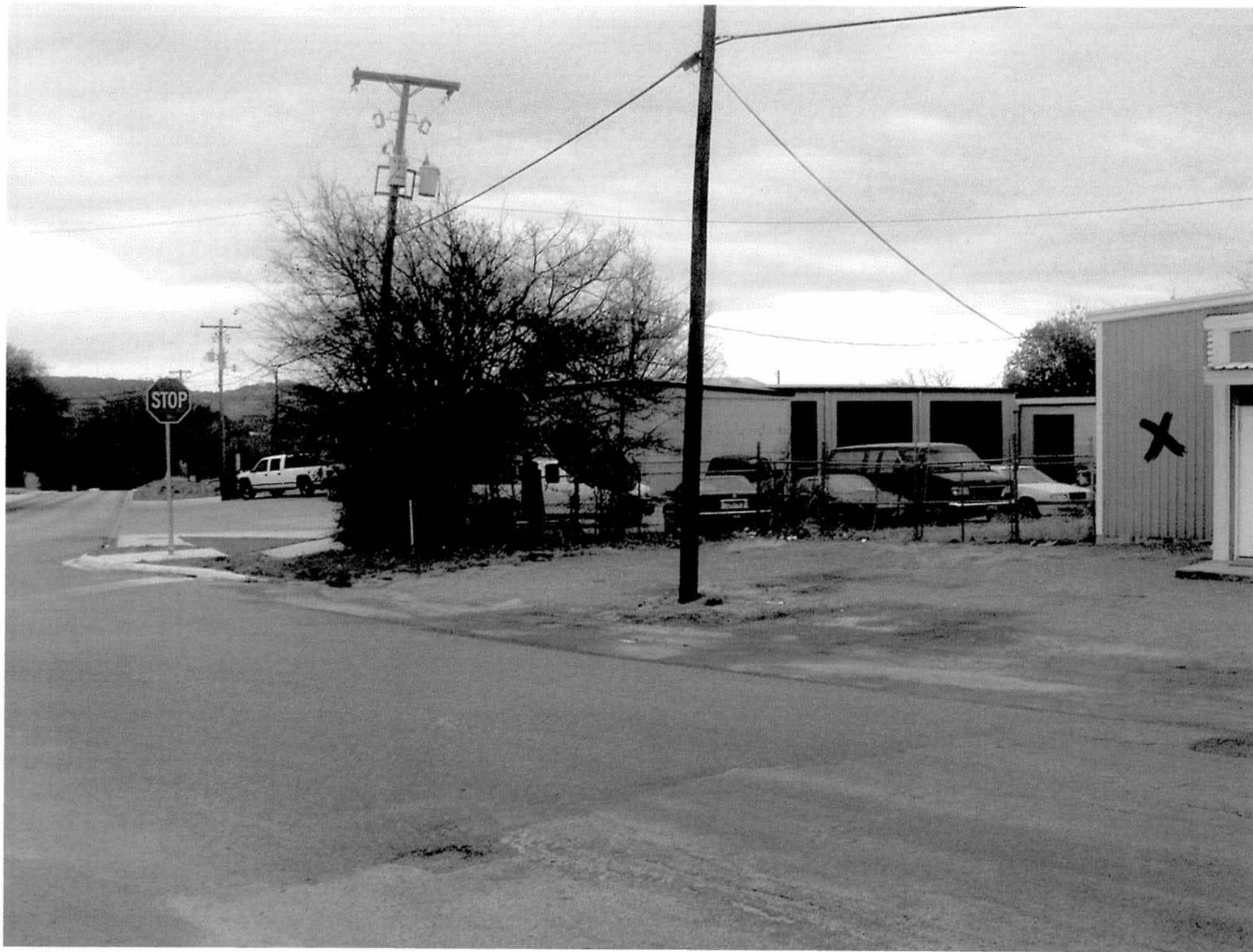
SITE PLAN





















All area within yellow will be new black-top. Area in front of building will be striped for parking with handicap parking 1st parking spot to left of door. Building front and side facing G Street and G Street South will be painted light brown. All trim and doors repainted white.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 6A **FOR AGENDA OF:** April 5, 2006
APPLICANT (S): Kerrville Planning Division
DESCRIPTION: Items for Future Review List
CASE TYPE: Information

SUMMARY STATEMENT – FINDINGS OF FACT

This list shows submitted projects that require Commission approval or recommendation.

| Project Name | Type | Tentative P&Z Date |
|--------------|---|--------------------|
| | No items submitted as of March 27, 2006 | |
| | | |

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 6B **FOR AGENDA OF:** April 5, 2006
APPLICANT (S): Kerrville Planning Division
DESCRIPTION: Past Projects List
CASE TYPE: Information

SUMMARY STATEMENT – FINDINGS OF FACT

This list shows the status of projects previously considered by the Commission.

| Project | P&Z Date | Status |
|---|---------------------|---|
| Amendment to Sign Ordinance to allow traveling lighted message signs with no time restriction | none | <ul style="list-style-type: none">• 3/28/2006 – 1st ordinance reading scheduled.• 4/11/2006 – 2nd ordinance reading scheduled. |
| CUP at 203 G Street to allow Vehicle Maintenance/Repair | 4/5/2006 | 4/11/2006 – Public hearing and consideration of Resolution granting CUP. |